

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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| UNITED STATES OF AMERICA, |) | CASE NO. 1:09CR510 |
| |) | |
| PLAINTIFF, |) | JUDGE PETER C. ECONOMUS |
| |) | |
| V. |) | |
| |) | |
| VADYM CHURAKOV, |) | MEMORANDUM OPINION |
| YURIY FEDKIV, |) | AND ORDER |
| PIOTR VITVITZKY, |) | |
| VASYL YATSKIV, |) | |
| |) | |
| DEFENDANTS. |) | |

This matter is before the Court upon Magistrate Judge Kenneth S. McHargh's Reports and Recommendations that the Court accept Defendants Vadym Churakov, Yuriy Fedkiv, Piotr Vitvitzky, and Vasyl Yatskiv's ("the Defendants") pleas of guilty and enter findings of guilty against the Defendants. (Dkt. # 109, 113, 120, 125).

On November 23, 2009, the Government filed an Indictment against the Defendants. (Dkt. # 12). On March 2, 2010, this Court issued an order assigning this case to Magistrate Judge McHargh for the purpose of arraignment and receiving the guilty pleas of Defendants Vadym Churakov, Yuriy Fedkiv and Piotr Vitvitzky. (Dkt. # 96). On March 24, 2010, this Court issued an order assigning this case to Magistrate Judge McHargh for the purpose of arraignment and receiving the guilty plea of Defendant Vasyl Yatskiv. (Dkt. # 121).

On March 8, 2010, a hearing was held in which Defendant Vadym Churakov entered a plea of guilty to Count One of the Indictment, conspiracy to unlawfully produce identification documents and false identification documents, in violation of 18 U.S.C. § 1028(f), 18 U.S.C. § 1028(b)(1)(A)(ii), and 18 U.S.C. § 1028(b)(1)(B).

On March 9, 2010, a hearing was held in which Defendant Yuriy Fedkiv entered a plea of guilty to Count One of the Indictment. On March 23, 2010, a hearing was held in which Defendant Piotr Vitvitzky entered a plea of guilty to Count One of the Indictment.

On March 30, 2010, a hearing was held in which Defendant Vasyl Yatskiv entered a plea of guilty to Count One of the Indictment and Count Twenty-Three of the Indictment, conspiracy to defraud the United States, in violation of 18 U.S.C. § 371.

Magistrate Judge McHargh received the Defendants' guilty pleas and issued Reports and Recommendations ("R&R's") recommending that this Court accept the Defendants' pleas and enter findings of guilty. (Dkt. # 109, 113, 120, 125).

None of the parties objected to Magistrate Judge McHargh's R&R's in the fourteen (14) days following the issuance of each R&R.

On *de novo* review of the record, Magistrate Judge McHargh's R&R's are adopted. (Dkt. # 109, 113, 120, 125). The Defendants were each found to be competent to enter a plea. The Defendants understood their constitutional rights. They are aware of the consequences of entering a plea. There is an adequate factual

basis for the pleas. The Court finds that the pleas were entered knowingly, intelligently, and voluntarily. The Defendants' pleas of guilty are approved.

Therefore, Defendants Vadym Churakov, Yuriy Fedkiv, and Piotr Vitvitzky are adjudged guilty of violating 18 U.S.C. § 1028(f), 18 U.S.C. § 1028(b)(1)(A)(ii), and 18 U.S.C. § 1028(b)(1)(B). Defendant Vasyl Yatskiv is adjudged guilty of violating 18 U.S.C. § 1028(f), 18 U.S.C. § 1028(b)(1)(A)(ii), and 18 U.S.C. § 1028(b)(1)(B), and 18 U.S.C. § 371.

Sentencing hearings will be held for Vasyl Yatskiv on June 24, 2010 at 10:00 a.m, for Piotr Vitvitzky on June 29, 2010 at 9:00 a.m., for Vadym Churakov on June 29, 2010 at 10:00 a.m., and for Yuriy Fedkiv on June 29, 2010 at 11:00 a.m.

IT IS SO ORDERED.

/s/ Peter C. Economus - April 20, 2010
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE